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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Murthi Nanja
Serial No.: 09/778,565
Filed: February 7, 2001
For: Aggregating Web Data on Clients and
Distributing the Aggregated Data to
Wireless Handheld Devices

§ Art Unit: 2172
§
§ Examiner: Isaac M. Woo
§
§ Docket: ITL.0521US (P10765)
§
§ Confirmation No.: 4410
§
§ Customer No.: 21906

Mail Stop **Appeal Brief - Patents**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

In response to the new arguments raised by the Examiner in the Answer, the following Reply Brief is submitted.

Claim 1 calls for a "controller to control the play of video, to receive a request to pause the play of said video, and to automatically request a code to enable video play to be resumed at a later time." Thus, as one exemplary embodiment, when the user enters a pause command, the controller automatically requests a code to enable video play to be resumed at a later time.

In a video on demand system this could be higher advantageous. Whenever the user wants to pause the video, he then can automatically obtain a code which allows him to resume the play at a later time. This enables the connection to the video on demand provider to be automatically cut off. It would not be necessary to revalidate and perhaps be recharged for the connection at a later time because the code identifies that receiver as one which has already paid for video and paused it and now wishes to resume at any later time. Of course, the system can

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also determine where to begin play if the system that provides the video stores the time when the pause was received or the code provided.

None of the cited references have a controller in the receiver that automatically requests the code to enable video play to be resumed at a later time.

The Examiner contends that some kind of code must automatically be requested, but this is certainly not the case. For example, the connection could simply be maintained and, when the user chooses to start the playback again, information that has been stored or which is still available may be provided to the receiver without requiring a code to identify the receiver. No code would be needed because the connection was maintained at all times. Thus, in this case as in the previous appeal, the argument of inherency simply cannot stand.

The kinds of arguments that this must be inherent are numerous and it may do no good to go through each one of them. An example is the argument that because Dan and Seward do things in a controlled fashion they must have a controller to request such a code in the receiver. But there is no reason why this is so and every reason to expect that if Dan or Seward had thought of such a thing they would have mentioned it in their applications.

Perhaps most surprising is the Examiner's argument that automatically providing the code is not absolutely necessary and, in fact, is not even an issue in the case. But to take this position, the Examiner plainly is ignoring the explicit claim limitations. This should not be permitted.

Therefore, the rejection should be reversed.

Claim 4 is the mirror image system on the transmitter. It is the one that receives the request for a code from a controller like the one in the receiver of claim 1 to enable the play of video to be paused and resumed at a later time. The transmitter includes a controller that automatically provides that code. For the reasons described with respect to claim 1, the mirror image system on the transmitter is nowhere suggested in the cited art.

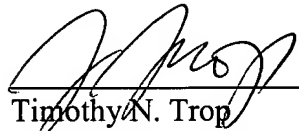
Therefore, the rejection of claim 4 should also be reversed.

It is understood that the Examiner has various rejections. However, it is believed that the appeal brief that was filed is sufficiently clear that no single reference, nor any combination of those references, can possibly meet the claimed invention because the features described herein simply are not present in either reference, taken alone, together, or turned in any which way.

Therefore, reversal is respectfully requested.

Respectfully submitted,

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